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## **Facsimile Cover Sheet**

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**Date:**  
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**cover page:5**

**Comments: re: Uniformity**



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PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sven Lindfors ) Group Art Unit: 1765  
Appl. No. : 09/836,674 )  
Filed : April 16, 2001 )  
For : METHOD AND APPARATUS )  
OF GROWING A THIN FILM )  
ONTO A SUBSTRATE )  
Examiner : Song, Matthew J

RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231  
United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

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Dear Sir:

In response to the Office Action mailed July 25, 2002, Applicant respectfully submits the following comments in connection with the above-captioned application.

COMMENTS

Claims 1-34 remain pending, As explained below, Claim 27-34 have been provisionally withdrawn as directed to a non-elected invention.

Affirmation of Election

Applicant affirms, without traverse, the provisional election of the claims directed to Group I (i.e., Claims 1-26), which was identified by the Examiner.

102(e) Rejections

Claims 1-20 and 22-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sneh et al (U.S. Patent No. 6,305,314). In response, Applicant submits a *Declaration under 37 C.F.R. § 1.131* by Sven Lindfors. The *Declaration* includes facts showing a reduction to practice of the invention in a WTO member country prior to the effective date of U.S. Patent No.

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Appl. No. : 9/836,674  
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6,305,314. In light of the Declaration, Applicant respectfully submits the rejection under 35 U.S.C. § 102(e) be withdrawn.

**103(a) Rejections**

Claims 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sneh et al in view of Suntola et al (U.S. Patent No. 6,015,590). Claims 19 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sneh et al in view of Soininen et al (U.S. Patent No. 5,855,680). Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sneh et al in view of Suntola et al (U.S. Patent No. 4,413,022).

The rejection of these claims is respectfully traversed. As set forth above, in light of the *Declaration*, the use of Sneh et al. is improper. Therefore, Applicant respectfully submit that the rejection of these claims has been overcome.

**CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 23, 2003

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